

Amendments to the Drawings:

The drawing sheet attached in connection with the above-identified application containing Figure 2 is being presented as a new formal drawing sheet to be substituted for the previously submitted drawing sheet. The drawing Figures 2 has been amended.

The specific changes which have been made to Figure 2 are the addition of legend for certain reference numerals.

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claim 22 is requested to be canceled without prejudice or disclaimer.

Claims 1 and 18 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-21 are now pending in this application.

Objection to the Drawings

Figure 2 was objected to as allegedly failing to provide a legend for certain reference numerals. Applicant respectfully notes that the specification clearly describes the elements to which the reference numerals refer. However, in order to expedite prosecution, Applicant herewith submits an amended Figure 2 with legend added for the reference numerals.

Accordingly, the objection to the drawings should now be withdrawn.

Claim Rejections under 35 U.S.C. §§ 101 and 112

Claim 22 was rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter and under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Claim 22 has been canceled without prejudice or disclaimer. Accordingly, the rejections of claim 22 are moot.

Claim Rejections under 35 U.S.C. § 102

Claims 1, 4-6, 9-14, 16, 18 and 19 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,484,033 to Murray. Applicant respectfully traverses this rejection for at least the following reasons.

Embodiments of the present invention relate to apparatus and method for providing information regarding a mobile station. Certain embodiments are directed to monitoring the presence or absence of a mobile station from a particular geographical area of interest. In accordance with embodiments of the present invention, a client sends a request to a location service entity in order to request a notification when a particular identified mobile station enters or leaves a geographical area of interest. Monitoring may then be activated for an indication of a change in the presence status of the identified mobile station relative to the geographical area of interest. The indication of a change in the presence status of the mobile station corresponds to the mobile station entering or leaving the geographical area of interest. When the mobile station enters or leaves the specified area of interest, a signal is sent to the client.

Thus, in accordance with embodiments of the invention, the notification is requested by a client. Applicant has amended independent claims 1 and 18 to more clearly recite that the event notification request is received “from a client” Further, as noted above, embodiments of the present invention relate to active monitoring for an event relative to a geographical area of interest, as recited in independent claims 1 and 18.

Murray fails to teach or suggest at least these features of the pending claims. Murray describes a location based schedule management scheme for mobile users. The current location of each of the mobile users is determined using GPS, and this information is used, along with information such as current traffic data, to calculate a mobile user’s distance and travel time to a particular point of interest. In accordance with the disclosure of Murray, the particular point of interest corresponds to a time and location of an event, such as a meeting which has been scheduled for one of the mobile users. If it is determined that the mobile user is too far away, the system of Murray notifies another mobile users who is close enough to attend the event or meeting as a backup.

In order to achieve this functionality, the system disclosed in Murray includes an application server which manages an event schedule and sends reminders to the mobile users at specified times in order to attend particular scheduled events. A notification is sent to another mobile users if the scheduled mobile user is unable to attend the scheduled event.

There is no teaching or suggestion in Murray of either a notification request being received from a client or monitoring for an event relative to a geographical area of interest. Murray merely discloses calculating the current time and location of a mobile user at a specified time before a diaried meeting or event, comparing this time and location with the time and location of the diaried meeting or event, signalling the mobile user to attend the event if the mobile user is close enough to do so, or alternatively signalling a backup mobile user who is closer in order to attend the event or meeting instead. In contrast to the features of the pending claims, the system of Murray (e.g., application server 76) receives no request from a client requesting any notification. Instead, the application server itself makes determinations for which other mobile users are to receive any signalling.

Thus, since Murray fails to teach or suggest at least the above-noted features of the pending claims, it fails to anticipate the claims. Further, none of the other cited references cure these deficiencies of Murray.

Therefore, independent claims 1 and 18 are patentable. Further, claims 4-6, 9-14 and 16 depend, either directly or indirectly, from allowable claim 1 and are, therefore, patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole. Similarly, claim 19 depends from allowable claim 18 and is, therefore, patentable for at least that reason, as well as for additional patentable features when that claim is considered as a whole.

Claim Rejections under 35 U.S.C. § 103

Claims 2, 3, 7, 8, 15, 17, 20 and 21 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Murray in view of various other references. Applicant respectfully traverses this rejection for at least the following reasons.

Claims 2, 3, 7, 8, 15 and 17 depend, either directly or indirectly, from allowable claim 1 and are, therefore, patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole. Similarly, claims 20 and 21 depend from allowable claim 18 and are, therefore, patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole.

Atty. Dkt. No. 061608-0660
(formerly NOKIA.4023US)

Applicant believes that the present application is now in condition for allowance.
Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 9 March 2009

By /G. Peter Albert, Jr./

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6735
Facsimile: (858) 792-6773

G. Peter Albert Jr.
Attorney for Applicant
Registration No. 37,268